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Rules, Regulations, Orders

TITLE 7—AGRICULTURE AGRICULTURAL ADJUSTMENT ADMINISTRATION

[Form 38—Tobacco 11 Supplement 4]

SUPPLEMENT TO INSTRUCTIONS FOR DETERMINATION OF FLUE-CURED TOBACCO FARM MARKETING QUOTAS FOR 1938

ISSUED PURSUANT TO THE AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED

JULY 25, 1938.

Form 38—Tobacco 11, "Instructions for Determination of Flue-Cured Tobacco Farm Marketing Quotas for 1938",¹ is amended as follows:

Section IV, paragraph A "Old Farms" is amended by striking out the paragraph numbered (2) and inserting in lieu thereof the following:

"There will be allocated to each such farm a minimum quota equal to the three-year average (1935-37) for the form of marketings and diversion, but not more than 3,200 pounds, and not less than a number of pounds obtained by multiplying a yield 200 pounds below the farm yield by the smaller of (a) the 1938 acreage of tobacco to be harvested on the farm, or (b) 2.5 acres. The sum of such 'minimum quotas' for all farms in each State will be deducted from the State quota."

Section IV is amended by striking out paragraph B "New Farms" and inserting in lieu thereof the following:

"B. NEW FARMS.—

"(1) The normal marketings for all new farms will be adjusted by a uniform percentage (determined by the Agricultural Adjustment Administration) so as to equal 3 percent of the national marketing quota of 705,000,000 pounds.

"(2) There will be allocated to each new farm a 'minimum quota' of that number of pounds obtained by multiplying a yield 200 pounds below the farm yield by the smaller of (a) the acreage

¹ 5 F. R. 1438 DI.

of tobacco to be harvested on the farm in 1938, or (b) 1.3 acres. The sum of such 'minimum quotas' for all farms will be deducted from the amount equal to 3 percent of the national marketing quota of 705,000,000 pounds.

"(3) There will be subtracted from the normal marketings for each new farm as adjusted under item (1) above, the 'minimum quota' for the farm. The resulting figure will be the 'excess' for the farm.

"(4) The 'excess' for all new farms will be reduced by a uniform percentage so as to equal that portion of 3 percent of the national marketing quota of 705,000,000 pounds remaining after subtraction therefrom of the total (computed under item (3) above) 'minimum quotas' for all new farms.

"(5) The marketing quota for each new farm will be the 'minimum quota' for the farm plus the 'excess' (if any) for the farm as adjusted under item (4) above."

Done at Washington, D. C., this 25th day of July 1938. Witness my hand and the seal of the Department of Agriculture.

[SEAL] HARRY L. BROWN,
Acting Secretary of Agriculture.

[F. R. Doc. 38-2648; Filed, September 7, 1938; 3:16 p. m.]

TITLE 16—COMPETITIVE PRACTICES

FEDERAL TRADE COMMISSION

[Docket No. 3436]

IN THE MATTER OF SPRINGFIELD MILLING CORPORATION

Sec. 3.99 (b) *Using or selling lottery devices—In merchandising.*—Shipping, etc., in connection with sale of flour, lottery cards to enable recipients thereby to dispose, etc., of such flour, prohibited. (Sec. 5b, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b.) [Cease and desist order, Springfield Milling Corporation, Docket 3436, August 27, 1938.]

Sec. 3.99 (b) *Using or selling lottery devices—In merchandising.*—Selling or

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otherwise disposing of flour by use of lottery cards, or chance sales plan or method, prohibited. (Sec. 5b, 52 Stat. 112; 15 U. S. C., Supp. IV, sec. 45b.) [Cease and desist order, Springfield Milling Corporation, Docket 3436, August 27, 1938.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of August, A. D. 1938.

Commissioners: Garland S. Ferguson, Chairman, Charles H. March, Ewin L. Davis, William A. Ayres, Robert E. Freer.



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ORDER TO CEASE AND DESIST

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent admitting all of the material allegations of the complaint to be true and waiving the taking of further evidence and all other intervening procedure, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Springfield Milling Corporation, a corporation, its officers, representatives, agents and employees, in connection with the offering for sale, sale and distribution of flour in interstate commerce or in the District of Columbia, do forthwith cease and desist from:

(1) Shipping to or placing in the hands of dealers lottery cards for the purpose of enabling such dealers by the use thereof to dispose of or sell flour;

(2) Mailing, shipping or transporting to dealers lottery cards so prepared or printed as to enable said dealers by use thereof to sell or distribute flour;

(3) Selling or otherwise disposing of flour by the use of lottery cards;

(4) Selling or otherwise disposing of flour by any sales plan or method depending on lot or chance.

It is further ordered, That within sixty (60) days from the date of the service of this order upon said respondent it shall file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[P. R. Doc. 38-2622; Filed, September 8, 1938; 10:29 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

PUBLIC DEBT SERVICE

[1938—Department Circular No. 593]

2½ PERCENT TREASURY BONDS OF 1950-52 REDEEMABLE AT THE OPTION OF THE UNITED STATES AT PAR AND ACCRUED INTEREST ON AND AFTER SEPTEMBER 15, 1950

SEPTEMBER 8, 1938.

I. Offering of Bonds

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, approved September 24, 1917, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for 2½ percent bonds of the United States, designated Treasury Bonds of 1950-52. The amount of the offering is \$400,000,000, or thereabouts, with the right reserved to the Secretary of the Treasury to increase the offering by an amount sufficient to accept all subscriptions for which Treasury Notes of Series E-1938, maturing December 15, 1938, are tendered in payment and accepted.

II. Description of Bonds

1. The bonds will be dated September 15, 1938, and will bear interest from that date at the rate of 2½ percent per annum, payable semiannually on March 15 and September 15 in each year until the principal amount becomes payable. They will mature September 15, 1952, but may be redeemed at the option of the United States on and after September 15, 1950, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The bonds shall be exempt, both as to principal and interest, from all taxation now or hereafter imposed by the United States, any State, or any of the possessions of the United States, or by any local taxing authority, except (a) estate or inheritance taxes, or gift taxes, and (b) graduated additional income taxes, commonly known as surtaxes, and excess-profits and war-profits taxes, now or hereafter imposed by the United States, upon the income or profits of individuals, partnerships, associations, or corporations. The interest on an amount of bonds authorized by the Second Liberty Bond Act, approved September 24, 1917, as amended, the principal of which does not exceed in the aggregate \$5,000, owned by any individual, partnership, association, or corporation, shall be exempt from the taxes provided for in clause (b) above.

3. The bonds will be acceptable to secure deposits of public moneys, but will not bear the circulation privilege and will not be entitled to any privilege of conversion.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of \$50, \$100, \$500, \$1,000, \$5,000, \$10,000 and \$100,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury.

5. The bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. Subscription and Allotment

1. Subscriptions will be received at the Federal Reserve banks and branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Cash subscriptions from banks and trust companies for their own account will be received without deposit but will be restricted in each case to an amount not exceeding one-half of the combined capital and surplus of the subscribing bank or trust company. Cash subscriptions from all others must be accompanied by payment of 10 percent of the amount of bonds applied for. The Secretary of the Treasury reserves the right to close the books as to any or all subscriptions or classes of subscriptions at any time without notice.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of bonds applied for, to make allotments in full upon applications for smaller amounts and to make reduced allotments upon, or to reject, applications for larger amounts, or to adopt any or all of said methods or such other methods of allotment and classification of allotments as shall be deemed by him to be in the public interest; and his action in any or all of these respects shall be final. Subject to these reservations, subscriptions in payment of which Treasury Notes of Series E-1938 are tendered will be allotted in full. Allotment notices will be sent out promptly upon allotment, and the basis of the allotment will be publicly announced.

IV. Payment

1. Payment at par and accrued interest, if any, for bonds allotted on cash subscriptions must be made or completed on or before September 15, 1938, or on later allotment. In every case

where payment is not so completed, the payment with application up to 10 percent of the amount of bonds applied for shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. Any qualified depository will be permitted to make payment by credit for bonds allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve bank of its district. Treasury Notes of Series E-1938, maturing December 15, 1938, with coupon dated December 15, 1938, attached, will be accepted at par in payment for any bonds subscribed for and allotted, and should accompany the subscription. Accrued interest from June 15, 1938, to September 15, 1938, on the maturing notes (\$3.142076 per \$1,000) will be paid following acceptance of the notes.

V. General Provisions

1. As fiscal agents of the United States, Federal Reserve banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve banks of the respective districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve banks.

[SEAL] HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

[F. R. Doc. 38-2651; Filed, September 8, 1938; 11:54 a. m.]

[1938—Department Circular No. 594]

1½ PERCENT TREASURY NOTES OF SERIES A-1943

ADDITIONAL ISSUE

SEPTEMBER 8, 1938.

I. Offering of Notes

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, approved September 24, 1917, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for 1½ percent notes of the United States, designated Treasury Notes of Series A-1943. The amount of the offering is \$300,000,000, or thereabouts, with the right reserved to the Secretary of the Treasury to increase the offering by an amount sufficient to accept all subscriptions for which Treasury Notes of Series E-1938, maturing December 15, 1938, are tendered in payment and accepted.

II. Description of Notes

1. The notes now offered will be an addition to and will form a part of the series of 1½ percent Treasury Notes of Series A-1943 issued pursuant to Department Circular No. 585, dated June 6, 1938, will be freely interchangeable therewith, are identical in all respects therewith, and are described in the following quotation from Department Circular No. 585:

"1. The notes will be dated June 15, 1938, and will bear interest from that date at the rate of 1½ percent per annum, payable semiannually on December 15, 1938, and thereafter on June 15 and December 15 in each year until the principal amount becomes payable. They will mature June 15, 1943, and will not be subject to call for redemption prior to maturity.

"2. The notes shall be exempt, both as to principal and interest, from all taxation (except estate or inheritance taxes, or gift taxes) now or hereafter imposed by the United States, any State, or any of the possessions of the United States, or by any local taxing authority.

"3. The notes will be accepted at par during such time and under such rules and regulations as shall be prescribed or approved by the Secretary of the Treasury in payment of income and profits taxes payable at the maturity of the notes.

"4. The notes will be acceptable to secure deposits of public moneys, but will not bear the circulation privilege.

"5. Bearer notes with interest coupons attached will be issued in denominations of \$100, \$500, \$1,000, \$5,000, \$10,000 and \$100,000. The notes will not be issued in registered form."

III. Subscription and Allotment

1. Subscriptions will be received at the Federal Reserve banks and branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Cash subscriptions from banks and trust companies for their own account will be received without deposit but will be restricted in each case to an amount not exceeding one-half of the combined capital and surplus of the subscribing bank or trust company. Cash subscriptions from all others must be accompanied by payment of 10 percent of the amount of notes applied for. The Secretary of the Treasury reserves the right to close the books as to any or all subscriptions or classes of subscriptions at any time without notice.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of notes applied for,

to make allotments in full upon applications for smaller amounts and to make reduced allotments upon, or to reject, applications for larger amounts, or to adopt any or all of said methods or such other methods of allotment and classification of allotments as shall be deemed by him to be in the public interest; and his action in any or all of these respects shall be final. Subject to these reservations, subscriptions in payment of which Treasury Notes of Series E-1938 are tendered will be allotted in full. Allotment notices will be sent out promptly upon allotment, and the basis of the allotment will be publicly announced.

IV. Payment

1. Payment at par and accrued interest from June 15, 1938, for notes allotted on cash subscriptions must be made or completed on or before September 15, 1938, or on later allotment. In every case where payment is not so completed, the payment with application up to 10 percent of the amount of notes applied for shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. Any qualified depository will be permitted to make payment by credit for notes allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve bank of its district. Treasury Notes of Series E-1938, maturing December 15, 1938, with coupon dated December 15, 1938, attached, will be accepted at par in payment for any notes subscribed for and allotted, and should accompany the subscription. Accrued interest from June 15, 1938, to September 15, 1938, on the maturing notes will be credited to subscribers, and interest for the same period on the new notes, which will be delivered with coupon dated December 15, 1938, attached, will be charged to subscribers. The difference (\$0.314208 per \$1,000) will be paid following acceptance of the notes.

V. General Provisions

1. As fiscal agents of the United States, Federal Reserve banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve banks of the respective districts, to issue allotment notices, to receive payment for notes allotted, to make delivery of notes on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve banks.

[SEAL] HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

[F. R. Doc. 38-2652; Filed, September 8, 1938; 11:54 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

National Bituminous Coal Commission.

[Docket No. 497-FD]

IN THE MATTER OF THE APPLICATION OF FAIRMONT COALS, INCORPORATED, FOR PROVISIONAL APPROVAL AS A MARKETING AGENCY

NOTICE AND ORDER FOR HEARING

The applicant above-named, having on the 9th day of August, 1938, filed its application for provisional approval as a marketing agency, *Notice is Hereby Given* that the above entitled matter is assigned for hearing before an Examiner of the Commission, on the 21st day of September, 1938, at ten o'clock a. m., at the hearing room of the Commission, 15th and Eye Streets, Northwest, Washington, D. C., at which time and place interested parties will be afforded an opportunity to be heard.

The Secretary of the Commission is forthwith directed to mail a copy of this Notice of Hearing to the applicant above named, to the Secretary of each District Board, and to the Consumers' Counsel, and shall cause a copy to be published in the FEDERAL REGISTER.

A copy of the aforesaid application is on file and available for inspection by interested parties at the office of the Secretary of the Commission.

By order of the Commission.

Dated this 7th day of September, 1938.

[SEAL] F. WITCHER McCULLOUGH,
Secretary.

[F. R. Doc. 38-2649; Filed, September 8, 1938; 11:49 a. m.]

[Docket No. 498-FD]

IN THE MATTER OF THE APPLICATION OF WESTERN PENNSYLVANIA COAL CORPORATION, FOR PROVISIONAL APPROVAL AS A MARKETING AGENCY

NOTICE AND ORDER FOR HEARING

The applicant above-named, having on the 11th day of August, 1938, filed its

application for provisional approval as a marketing agency, *Notice is Hereby Given* that the above-entitled matter is assigned for hearing before an Examiner of the Commission, on the 19th day of September, 1938, at ten o'clock a. m., at the hearing room of the Commission, 15th and Eye Streets, Northwest, Washington, D. C., at which time and place interested parties will be afforded an opportunity to be heard.

The Secretary of the Commission is forthwith directed to mail a copy of this Notice of Hearing to the applicant above-named, to the Secretary of each District Board, and to the Consumers' Counsel, and shall cause a copy to be published in the FEDERAL REGISTER.

A copy of the aforesaid application is on file and available for inspection by interested parties at the office of the Secretary of the Commission.

By order of the Commission.

Dated this 7th day of September, 1938.

[SEAL] F. WITCHER McCULLOUGH,
Secretary.

[F. R. Doc. 38-2650; Filed, September 8, 1938; 11:49 a. m.]